



Doc Code: **PTO/RE.REQ**

PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

44663

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Signature _____

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Application Number

10/686,719

Filed

October 17, 2003

First Named Inventor

Jong-Phil Lee

Art Unit

2457

Examiner

Michael C. Lai

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 57,805

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Signature

Gautam Sain

Typed or printed name

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Telephone number

January 5, 2011

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jong-Phil Lee

Serial No.: 10/686,719

Filed: October 17, 2003

For: DEVICE AND METHOD FOR
MANAGING INFORMATION
DATA IN A MOBILE
TELEPHONE



Atty. Docket No.: 44663

Confirmation No.: 8798

Group Art Unit: 2457

Examiner: Michael C. Lai

Customer No.: 01609

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**ARGUMENTS FOR CONSIDERATION FILED CONCURRENT
WITH PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Sir:

In response to the final Office Action of November 5, 2010, the Appellant submits arguments for consideration with the concurrently filed Pre-Appeal Brief Request For Review.

Remarks/Arguments:

The Examiner rejects claims 1-14 under 35 USC § 103(a) as being unpatentable over Theimer (6,519,241 B1), in view of Hauduc et al. (6,993,568 B1), and further in view of Henry et al. (2003/0195952 A1).

Appellant respectfully traverses these rejections as follows.

Theimer, Hauduc and Henry, alone or in combination, fail to disclose, teach or suggest the features of claims 1-14, expressly or inherently. Claims 1-14 are allowable for the reasons presented herein.

Claim 1 recites a device for managing information data in a mobile IP-based mobile telephone, the device comprising an embedded web server, for displaying a homepage of the mobile telephone on a web browser when linked to the mobile telephone through a web browser of a telecommunication system, driving a CGI and/or ASP program to generate a command for communication between the mobile phone and the telecommunication system

using the web browser, displaying data of a selected menu stored in the mobile telephone on the web browser according to the command and updating a data updated in the web browser on the mobile telephone according to the command, a CGI and/or ASP program of the server driven by the embedded web server to generate a command for communication between the mobile telephone and the telecommunication system using the web browser, and to transmit a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser, a homepage of the mobile telephone, for displaying information management menus of the mobile telephone and including a language pack storing at least one language so that the information management menus can be displayed in a selected language, and a memory, for storing data of the information management menus.

The Examiner alleges, in the rejections, that Theimer discloses displaying a homepage of the mobile telephone (citing to authorized browser 5, and column 3, lines 26-48). Appellant respectfully traverse the Examiner's interpretation. Theimer discloses a web browser 5 that interrogates the location of a patient for data and proves its access authorization by a password or a digital signature (see col 3, lines 60-63). Theimer fails to disclose or suggest Appellant's device that comprises displaying a homepage of the mobile telephone on a web browser when linked to the mobile telephone through the web browser of a telecommunication system, as recited in claim 1 among other features.

Further, the Examiner alleges, on page 4 of the Response to Arguments section of the Office Action, that Theimer's authorized browser 5 is linked to the mobile telephone Web Server 2 which discloses the displaying step of claim 1 by arguing that the homepage must be displayed as a start point to the browser. Appellant respectfully disagrees, and submits that Theimer's disclosure does not disclose the combination of features as recite in claim 1. Specifically, in Theimer's Fig. 3, the server 33 in block 1 is used for monitoring vehicle devices such as a heater and external browser 5 is can monitor the vehicle devices such as a heater. However, this is different than displaying a homepage of the mobile telephone since displaying monitoring of a vehicle involves displaying data items that are not homepages of the mobile telephone (see col 6, lines 55-61).

Further, Appellant submits that Theimer fails to disclose an embedded web server driving a CGI and/or ASP program to generate a command for communication between the mobile phone and a telecommunication system using the web browser, displaying data of a selected menu stored in the mobile phone on the web browser according to the command and

updating a data updated in the web browser on the mobile telephone according to the command, as recited in claim 1 among other features.

In the Response to Argument section, on page 5 of the Office Action, the Examiner alleges that Theimer, in column 3, lines 49-64 discloses these features. Appellant respectfully submits that Theimer discloses a glucose measuring server 8 in the mobile telephone where the authorized browser 5 periodically interrogates the measured values which accesses the measured values of the WEB server by a password or a digital signature. Theimer discloses performing communication between web servers and web browsers/other servers through CGI (see col. 1, lines 16-26 of Theimer). Theimer merely discloses connecting to the WEB server via a CGI (see column 4, lines 21-22). Theimer's disclosure fails to disclose or suggest the combination of features recited in claim 1 including an embedded web server driving a CGI and/or ASP program to generate a command for communication between the mobile phone and a telecommunication system using the web browser, among other features.

The Examiner admits that Theimer and Hauduc fail to disclose updating a data updated in the web browser on the mobile telephone according to the command, and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser. The Examiner relies on Henry to make up for Theimer's and Hauduc's deficiencies.

Appellant agrees that Theimer and Hauduc fails to disclose or suggest at least these features but Appellant respectfully submits that Henry fails to make up for Theimer's and Hauduc's deficiencies.

Appellant submits that Henry's disclosure relates to editing and updating information on a digital transmitter device using a web browser. Henry alone or in any combination with Theimer and Hauduc, fails to disclose or suggest updating a data updated in the web browser on the mobile telephone according to the command, and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser as recited in claim 1, among other features.

In the Response to Arguments section, on pages 5-6 of the Office Action, the Examiner alleges that Henry's disclosure of changes to the configuration of a digital transmitter device (in paragraphs 0004, 0013, and 0014; and Fig. 4, paragraph 0037) discloses Appellant's updating features.

Appellant respectfully disagrees. Henry discloses a digital transmitter device configuration using a web browser to manually make changes to the configuration of a digital transmitter device using an embedded-web server in the digital transmitter device (see paragraph [0004]). For example, Henry discloses a browser application executing on a host computer that can be used to control the configuration information for the digital transmitter device (see paragraph 13). Further, Fig. 4, step 418 discloses addressing message data according to the recipient address data received from the input by a user.

Appellant respectfully submits that Henry alone or in any combination with Theimer and Hauduc, fails to disclose or suggest updating a data updated in the web browser on the mobile telephone according to the command, and transmitting a message confirming that data updated in the web browser has been updated in the mobile telephone to the web browser, as recited in claim 1 among other features.

Thus, claim 1 is allowable.

Claim 2 is allowable based on it's dependency from allowable base claim 1.

Claim 3 recites a method for managing information data in a mobile IP-based mobile telephone, the method comprising the steps of accessing the mobile telephone through an Internet web browser of a telecommunication system, displaying a homepage of the mobile telephone on the web browser, selecting a language at the homepage displayed on the web browser, displaying information management menus in the selected language, when one menu is selected from the information management menus, driving, by an embedded web server of the mobile phone, a CGI and/or ASP program of the mobile phone to generate a command enabling communication between the mobile telephone and the telecommunication system, and displaying data of the selected menu stored in the mobile phone on the web browser according to the command; when the data of said menu is updated in the web browser, driving, by the embedded web server of the mobile phone, the CGI and/or ASP program of the mobile phone to generate a command enabling communication between the mobile telephone and the telecommunication system, and updating the same data updated in the mobile telephone according to the command, and transmitting a message of successful update to the web browser.

Theimer fails to disclose or suggest displaying a homepage of the mobile telephone on the web browser, and selecting a language at the homepage displayed on the web browser, as recited in claim 3, at least for reasons similar to claim 1 (see Appellant's remarks above).

Further, the Examiner alleges that Theimer and Haudu teach all the features of claim 3 except when the data of said menu is updated in the web browser, driving, by the embedded web server of the mobile phone, the CGI/ASP program of the mobile phone to generate a command, and updating the same data updated in the mobile telephone according to the command. The Examiner relies on Henry to disclose or suggest these features. Appellant respectfully traverses this allegation.

Henry merely discloses a digital transmitter device configuration using a web browser to manually make changes to the configuration of a digital transmitter device using an embedded-web server in the digital transmitter device (see paragraph [0004]). For example, Henry discloses a browser application executing on a host computer that can be used to control the configuration information for the digital transmitter device (see paragraph 13). Henry fails to disclose or suggest that when data of a menu is updated in the web browser, driving, by the embedded web server of the mobile phone, the CGI and/or ASP program of the mobile phone to generate a command, and updating the same data updated in the mobile telephone according to the command, as recited in claim 3 among other features. Thus, claim 3 is allowable for this reason.

Claim 9 is allowable for similar reasons as claims 1 and 3.

Claims 4-8 and 10-14 are allowable based on their dependency from allowable claim 3 and 9, respectively.

In view of the above, it is believed that there is at least one or more errors or omissions in the Examiner's rejections.

Respectfully submitted,



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Reg. No. 57,805

Date: January 5, 2011

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